

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.74 of 2016

ORDER:

This petition is filed to withdraw O.P.No.990 of 2015 from the file of XIV Additional District Judge, Vijayawada and transfer the same to Family Court, Vizianagaram.

2. Wife filed this petition. According to her affidavit her marriage with respondent was performed on 08.06.2010 at Masonic Temple, Vizianagaram as per Hindu rites and custom and the marriage was a arranged marriage. She stated that after marriage, they stayed at Vizianagaram for sometime and later shifted to Vijayawada and that respondent looked her properly for sometime and they are blessed with a male child on 02.09.2011 and later respondent and his parents started harassing her both physically and mentally for which she came to Vizianagaram and lodged a complaint before Women Police Station, Vizianagaram, which is registered as Crime No.88 of 2015 on 26.12.2015. She further stated that respondent filed OP No.154 of 2015 for restitution of conjugal rights and the same was referred to Lok Adalat and an award was passed, and after that, they lived happily for sometime. She further stated that respondent again filed O.P.No.990 of 2015 for dissolution of marriage at Vijayawada. She stated that it is difficult for her to travel from Vizianagaram to Vijayawada with a small child and that she has no person to escort her during travel. She further stated that, as it is difficult for her to appear before Court at Vijayawada for each and every adjournment, prayed for transfer of OP from Vijayawada to Vizianagaram.

3. Respondent in spite of granting time did not file any counter. Though interim stay granted earlier was extended until further orders, respondent has not shown any interest in filing counter. Today when the matter is taken up, neither advocate for respondent is present nor any representation is made on behalf of respondent.

4. Heard advocate for petitioner.

5. Considering the reasons stated in the affidavit filed in support of the petition, which remained un-rebutted and also considering the convenience of wife, O.P.No.990 of 2015 is withdrawn from the file of XIV Additional District Judge, Vijayawada and transferred to Family Court, Vizianagaram for disposal in accordance with law.

6. Accordingly, this Transfer Civil Miscellaneous Petition is ordered. No costs. As a sequel, miscellaneous petitions, if any filed in this civil miscellaneous petition, shall stand closed.

S. RAVI KUMAR, J

Date: 04-04-2016

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